

PATENT

In re application of: Schaldach, et al

Group No.: 3731

Examiner: Michael H. Thaler

For: STENT INCLUDING HUMAN OR ANIMAL TISSUE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

1. Transmitted herewith is an amendment for this application.

2. Applicant is other than a small entity.

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

(When using Express Mail, the Express Mail label number is **mandatory**;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

37 C.F.R. § 1.10*

☒ with sufficient postage as first class mail.

☐ as "Express Mail Post Office to Addressee"

Mailing Label No. _____ (mandatory)

TRANSMISSION

☐ facsimile transmitted to the Patent and Trademark Office, (703) _____ - _____

Signature

John J. Cunniff

Date: April 14, 2004

(type or print name of person certifying)

** Only the date of filing (' 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under ' 1.8 continues to be taken into account in determining timeliness. See ' 1.703(f). Consider "Express Mail Post Office to Addressee" (' 1.10) or facsimile transmission (' 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.*

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)	OTHER THAN A SMALL ENTITY			
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA				
				RATE		ADDIT. FEE	
TOTAL	52	- 52	= 0	x \$ 18.00	= \$	0.00	
INDEP.	3	- 3	= 0	x \$ 86.00	= \$	0.00	
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+ \$ 0.00	= \$	0.00	
				TOTAL ADDIT. FEE	\$	0.00	

No additional fee for claims is required.

FEE DEFICIENCY

5. An additional extension and/or fee is required, charge Account No. 15-0450.

An additional fee for claims is required, charge Account No. 15-0450.

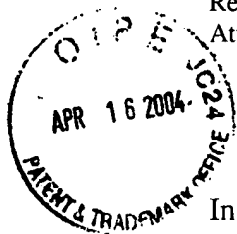
Date: April 14, 2004

Reg. No.: 42,451
Tel. No.: 330-864-5550
Customer No.: 021324


Signature of Practitioner

John J. Cunniff
Hahn Loeser + Parks LLP
Twin Oaks Estate
1225 West Market Street
Akron, OH 44313-7188

Ser. No. 09/996,061
Response to restriction requirement of 17 March 2004
Atty Docket 117163-32



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor:	Schaldach, et al.	Examiner:	Michael H. Thaler
Ser. No.	09/996,061	Group Art Unit:	3731
Title:	Stent Including Human or Animal Tissue		
Filed:	27 November 2001	Date:	13 April 2004

RESPONSE TO RESTRICTION REQUIREMENT

This letter is responsive to the Examiner's restriction requirement mailed 17 March 2004, and is timely filed on or before 19 April 2004, as 17 March falls on a Saturday.

AMENDMENTS TO THE CLAIMS – none.

REMARKS begin on page 2.